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Preparatory Committee for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects
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Note verbale dated 30 March 2001 from the Permanent Mission of Jordan to the United Nations addressed to the Department for Disarmament Affairs of the United Nations Secretariat, transmitting, on behalf of the League of Arab States, draft proposals on the revised draft Programme of Action (A/CONF.192/PC/L.4/Rev.1)

The Permanent Mission of the Hashemite Kingdom of Jordan to the United Nations presents its compliments to the Department for Disarmament Affairs of the United Nations Secretariat and has the honour to inform the latter that the Government of the Hashemite Kingdom of Jordan, on behalf of the Arab States members of the Arab League, presents a compilation of draft proposals (see annex) on the draft Programme of Action (A/CONF.192/PC/L.4/Rev.1).

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Annex

Drafting proposals submitted by the Arab Group on document A/CONF.192/PC/L.4/Rev.1

The proposed additions appear in **bold** and are underlined.

The proposed deletions appear in *italics* and are in [brackets].

Section I. Preamble

Para 2:

Gravely concerned at the illicit [*manufacture, transfer and*] **proliferation,** circulation **and trafficking** of small arms and light weapons [*and their excessive accumulation and spread*] in many regions of the world, which [have] **originate from** a wide range of humanitarian and socio-economic [consequences on] **factors that in turn affect** stability and development.

Para 5:

Concerned also about the close link between terrorism, organized crime and the drug trade, on the one hand, and the [*uncontrolled spread of*] **illicit trade in** small arms and light weapons **in all its aspects** on the other, and stressing the importance of international efforts aimed at combating them.

Para 8: (Maintain the same language of Para 14 in Section I of A/CONF.192/PC/L.4)

Reaffirming also the right of self-determination of all peoples, **in particular peoples under colonial or other forms of alien domination or foreign occupation, and the importance of the effective realization of this right.**

Para 9:

Reaffirming also the right of each State to import, **export,** produce and retain small arms and light weapons [*at levels consistent with its legitimate self-defence and security needs*].

Para 14:

Recognizing also the important contribution of civil society in general and non-governmental organizations in particular in preventing and **eradicating** [*reducing the excessive and destabilizing accumulation and spread of*] **the illicit trade in** small arms and light weapons **in all its aspects**.

Para 15:

Recognizing further that these efforts are without prejudice to the positions taken by States on [, *or the importance allocated by them to,*] the priorities accorded to nuclear disarmament, weapons of mass destruction and conventional disarmament **as outlined in the Final Document of the Tenth Special Session of the General Assembly devoted to disarmament**.

Para 20 (b):

Developing [*agreed international*] **harmonized** measures to prevent and combat illicit [*arms*] trafficking in [*and manufacturing of*] small **arms** and light weapons [*and to reduce excessive and destabilizing accumulations and transfers of such weapons*] throughout the world.

Para 20 (c):

Placing particular emphasis on the regions of the world where conflicts come to an end and where serious problems with the **illicit** proliferation of small arms and light weapons have to be dealt with urgently.

Para 20 (d):

Mobilizing the political will throughout the international community to prevent and combat illicit [*transfers in and manufacturing of*] **trade in** small arms and light weapons in all [*their*] **its** aspects, and raise awareness of the character and seriousness of the interrelated problems associated with the illicit trafficking in [*and manufacture of*] small arms and light weapons [*and the excessive and destabilizing accumulation and spread of these weapons*].

Section II. Preventing, Combating and Eradicating the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.

At the national level :

Para. 4:

To put in place adequate laws, regulations and administrative procedures to exercise effective control over the legal manufacture, stockpiling, transfer and possession of small arms and light weapons within their areas of jurisdiction. To ensure that those engaged in illegal manufacture, stockpiling, transfer and possession can and will be prosecuted under appropriate **national** penal codes.

Para. 5:

To ensure that manufacturers apply an appropriate and reliable marking on each small arm and light weapon as an integral part of the production process. This marking should be unique and should identify the country of manufacture and also provide information that enables the national authorities of that country to identify the manufacturer and serial number, [*so that the authorities concerned*] **and thus** can identify and trace each weapon.

Para. 8:

To ensure accountability for, and the effective tracing of all **small arms and light** weapons **currently** owned [*and*] **or** issued by the State.

Para. 9:

To assess applications for export authorizations according to strict national [*or regional*] criteria that cover all categories of small arms and light weapons.

Para. 12:

To develop national systems for regulating the activities of those who engage in **small** arms **and light weapons** brokering. Such a system could include measures such as registration of brokers, licensing or authorization of brokering as well as the criminalization of all illicit brokering activities performed in their jurisdiction.

Para. 17:

To regularly review the stocks of small arms and light weapons held by armed forces, police and other authorized bodies and to ensure that such stocks **declared by competent national authorities to be in** surplus to requirements are clearly identified **by them**, and that programmes for the responsible and expeditious disposal, [*normally through destruction*] of such socks are established and implemented and that such stocks are adequately safeguarded until disposal.

Para. 18:

To destroy surplus small arms and light weapons **which the competent national authorities declare that they no longer need**, using [*internationally accepted and effective procedures and in accordance with*] effective and environmentally sound procedures. [*Surplus weapons retained for other purposes will be permanently disabled and decommissioned*].

Para. 22:

To make public **whenever possible** or submit **voluntarily** to relevant regional and international organizations, in accordance with their national practices, information on, inter-alia: (a) small arms and light weapons confiscated or destroyed within their jurisdiction; (b) national laws and regulations and processes that impact on the prevention and reduction of the illicit trade in small arms and light weapons; and (c) any other information such as illicit trade routes and techniques that can contribute to the eradication of the illicit trade in small arms and light weapons.

At the regional level :

Para. 26:

To strengthen and establish, where appropriate and as agreed by the states concerned, [*regional or sub-regional moratoria on the transfer and manufacture of small arms and light weapons and/or*] regional action programmes to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects, and to respect such [*moratoria and/or*] action programmes and cooperate with the countries concerned in the implementation thereof, including through technical assistance and other measures.

Para. 28 :

To encourage regional and sub-regional action on **preventing the illicit trade in** small arms and light weapons **in all its aspects** in order to introduce or strengthen relevant laws, regulations and administrative procedures.

Para. 30: Delete the paragraph.

[*To develop appropriate measures to enhance transparency with respect to small arms and light weapons transfers, as a confidence-building measure and with a view to combating their illicit trade*].

At the global level :

Para. 34:

To support **in regions and sub-regions where conflicts have ended, the** disarmament and demobilization of ex-combatants and their subsequent rehabilitation and reintegration into civil society and, in that context, the collection and destruction of illegally held small arms and light weapons, as well as the destruction of surpluses, and the inclusion, where required, of specific provisions in peace agreements.

Para. 35:

To develop **measures** [*international arrangements and a legally-binding instrument*] to enable the timely and reliable tracing of **illicit** lines of supply **of small arms and light weapons** by relevant **national** authorities, **with a view to eradicating such illicit lines of supply**.

Para. 36:

To encourage States and the World Customs Organization, as well as other relevant organizations, to [*consider*] enhance[*d*] cooperation [*with*] **and strengthen the capacities of** the International Criminal Police Organization –Interpol- to identify **and combat** groups and individuals engaged in the illicit trade of small arms and light weapons.

Para. 37:

To develop common understandings of the basic issues and the scope of the problems related to illicit [*arms*] brokering **in small arms and light weapons** with a view to **combating** [*regulating*] the activities of those engaged in [*arms*] **such** brokering.

Para. 38:

To encourage the relevant international and regional organizations and States to facilitate cooperation with civil society, including non-governmental organizations, in activities related to **the illicit trade in** small arms and light weapons **in all its aspects**, in view of the important role that civil society plays in efforts to raise awareness of and address the problems associated with **the illicit trade in** such weapons.

Para. 38 bis: (Art. 5 (vi) of the Bamako Declaration)

To encourage States to accede to international legal instruments on terrorism and international organized crime, with a view to combating the illicit trade in small arms and light weapons in all its aspects.

Section III: Implementation, international cooperation and assistance

Para. 2:

States undertake to cooperate and to ensure coordination, complementarity and synergy in efforts to deal with **the illicit trade in** small arms and light weapons [*issues*] **in all its aspects**, at the global, regional, sub-regional and national levels.

Para. 3 :

The international community undertakes to render **financial and technical** assistance, [*to the extent possible*] **where needed**, to enable the implementation of the measures to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects as contained in the Programme of Action.

Para. 4:

States, international and regional organizations should assist and promote conflict prevention measures **that address the root causes of conflicts,** and the pursuit of negotiated solutions to conflicts wherever possible.

Para. 6 :

With a view to facilitating implementation of the Programme of Action, States, international and regional organizations should assist **upon request** in building capacities in areas including the development of appropriate legislation and regulations, law enforcement, tracing, stockpile management and security, destruction of **illicit small arms and light** weapons and the collection and exchange of information.

Para. 7:

States should enhance cooperation, the exchange of experience and training among competent officials, including customs, police, intelligence and arms control officials, at the national, regional [*and*] sub-regional, **and international** levels**, with a view to combating the illicit trade in small arms and light weapons in all its aspects**.

Para. 9:

States are encouraged to use the facilities of Interpol, in particular through the timely and complete provision of information **on the illicit trade in small arms and light weapons** to its International Weapons and Explosives Tracking System (IWETS) database or to any other database that may be developed **to combat the illicit trade in such weapons**.

Para. 10:

International cooperation to examine technologies, which are both affordable and accessible to all producers, and which would improve the tracing and detection of **illicit** small arms and light weapons, should be encouraged.

Para. 11:

States undertake to cooperate with each other, including on the basis of existing regional legally binding instruments and with relevant international, regional and intergovernmental organizations, in tracing illicit small arms and light weapons, particularly by strengthening mechanisms based on the exchange of information **on the illicit trade in such weapons**.

Para. 12:

States undertake to exchange information **on a voluntary basis**, on their national marking systems on small arms and light weapons, **without revealing information that may endanger national security or legitimate commercial interests, or undermine law enforcement efforts**.

Para. 16:

With respect to regions and sub-regions where conflicts have ended and where serious problems are experienced with [*excessive and destabilizing accumulations and spread of*] **illicit trade in** small arms and light weapons **in all its aspects**, the relevant regional and international organizations should support, within available resources, all appropriate post-conflict programmes related to the disarmament, demobilization and reintegration of former combatants.